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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 DOLLAR TREE STORES, INC,

No. C 10-325 SI

9 Plaintiff,

ORDER RE: DISCOVERY

10 v.

11 TOYAMA PARTNERS LLC, *et al.*,

12 Defendants.
13 _____/

14 Plaintiff has filed a letter regarding several disputes that have arisen concerning a December 9,
15 2010 in-person meet and confer. (Docket No. 113). Because the meeting is scheduled to occur
16 tomorrow, plaintiff's counsel, in an email to the Court's clerk, requested that the Court resolve the
17 disputes on an expedited basis. Defendant Toyama, also in an email to the Court's clerk, has objected
18 to resolving the disputes in an expedited manner.

19 One of the disputes presented by plaintiff's letter relates to whether non-local counsel for
20 plaintiff may participate in the "in-person" meet and confer by videoconference and telephone. Plaintiff
21 states that local counsel for plaintiff will attend the meet and confer in person. The Court finds that it
22 is permissible and appropriate for plaintiff's local counsel to attend the meet and confer in person, and
23 for Jay Marinstein to participate via videoconference and Scott Kipnis to attend telephonically.


24 The Court does not resolve at this time plaintiff's request for sanctions against Toyama. The
25 parties shall proceed with the in person meet and confer as scheduled on December 9, 2010. If disputes
26 remain after the meet and confer, the parties shall submit a joint letter to the Court setting forth the
27 remaining discovery disputes. During the in-person meet and confer, the parties are directed to attempt
28 to resolve plaintiff's request for sanctions. If the parties are unable to do so, Toyama shall file a letter

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brief limited solely to the sanctions request no later than **December 14, 2010**.

IT IS SO ORDERED.

Dated: December 8, 2010



SUSAN ILLSTON
United States District Judge